

**DURHAM, NORTH CAROLINA
MONDAY, DECEMBER 4, 2000
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Absent: None.

Also present: Assistant City Manager Gregory A. Bethea, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Tennyson called the meeting to order and at that time George Stanziale presented Mayor Tennyson with the Merit Award for the Downtown Master Plan.

Mayor Pro Tempore Clement announced that Fayetteville Street Elementary School had been designated as one of the 25 best elementary schools in North Carolina, congratulated Mrs. Queen Bass at Fayetteville Street School for being named "Principal of the Year", attended a Banquet honoring B. J. Council and informed his colleagues that Faye Tyler, of Economic & Employment Development Office, was named "Employee of the Year".

Mayor Tennyson thanked everyone who participated in the Holiday Parade this past Saturday.

Council Member Larson announced that the meeting of the Finance Committee scheduled for December 7, 2000 has been cancelled due to a lack of a quorum. [Members of Council will be attending the upcoming National League of Cities Conference].

Mayor Tennyson asked for priority items. Assistant City Manager Gregory A. Bethea acknowledged Katie Kalb, Public Works Director, who updated Council on the discharge of untreated sewage.

There were no priority items from the City Attorney and City Clerk.

Mayor Tennyson noted revisions to the Consent Agenda made at the Committee-of-the-Whole Meeting. Mayor Tennyson asked if any citizen(s) or council member(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting.

Council Member McKissick pulled Consent Agenda Item #4 [PARKING PROHIBITION - STONEYBROOK DRIVE].

MOTION by Council Member Larson seconded by Council Member Jacobs to approve the Consent Agenda as amended was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

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[CONSENT AGENDA]

SUBJECT: SETTING PUBLIC HEARINGS TO CONSIDER ORDERING CERTAIN IMPROVEMENTS UNDER THE ENABLING ACT AUTHORITY

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt resolutions setting public hearings on Monday, December 18, 2000 to consider ordering the following improvements under the Enabling Act Authority was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

- a. **Sewer Main - South Miami Boulevard** from north property line of Tax Map #577A-1-16 to Brassfield Road; and
- b. **Sewer Main - Stadium Drive** from Ashley Street to the east property line of Tax Map #296-4-12.

SUBJECT: HANDICAPPED PARKING - COLFAX STREET

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance to establish handicap parking on the west side of Colfax Street beginning in the area at a point 92 feet south of the south curb line of Pettigrew Street, if extended, and extending for a distance of 70 feet southwardly was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12123

SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - CHARLES STREET

- a. Speed Limit - Charles Street

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance establishing a speed limit of 25 mph on Charles Street from Cornwallis Road southward to Roxboro Street was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12124

SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - JUBILEE LANE

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b. Speed Limit - Jubilee Lane

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance establishing a speed limit of 25 mph on Jubilee Lane from Pilot Street to end of City maintenance was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12125

SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - STUART DRIVE

c. Speed Limit - Stuart Drive

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance establishing a speed limit of 25 mph on Stuart Drive from Summit Street to Shoreham Drive was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12126

SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - DARTMOUTH DRIVE

d. Speed Limit - Dartmouth Drive

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance establishing a speed limit of 25 mph on Dartmouth Drive from Carver Street to Fawn Avenue was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12127

SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - COURTNEY CREEK

e. Speed Limit - Courtney Creek

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance establishing a speed limit of 25 mph at the following locations was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

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- 1) Courtney Creek Boulevard (Private) at NC 55, southwest corner, and
- 2) Contravest Parkway (Private) at NC 55, southwest corner.

Ordinance #12128

SUBJECT: STOP SIGNS - HOPE VALLEY FARMS

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

- a. Linden Oaks Avenue at Alderbrook Lane, northwest and southeast corners;
- b. Carlton Crossing Drive at South Roxboro Street, southwest corner;
- c. Tapestry Terrace at Alderbrook Lane, northwest and southeast corners;
- d. Gaither's Pointe Drive at Alderbrook Lane, northwest and southeast corners; and
- e. Alderbrook Lane at Carlton Crossing Drive, southeast corner.

Ordinance #12130

[GENERAL BUSINESS AGENDA]

[PUBLIC HEARINGS]

SUBJECT: 2000 LOCAL LAW ENFORCEMENT BLOCK SPENDING PLAN AND GRANT PROJECT ORDINANCE

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Denise Hester, 3526 Abercromby Drive, distributed a handout and gave an overview of a SAAFE [Solutions Attitudes & Answers for Empowerment] ZONES proposal outlining the concept, alternative ideas for spending and requested funding for community policing, an undercover officer and the Police Athletic League.

Mayor Tennyson declared the public hearing closed.

Council Member McKissick asked staff about the evaluation process of previous proposals from citizens.

City Manager Ewell gave an overview of the process.

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Council Member Burnette spoke in support of Ms. Hester's proposal and funding for community policing.

Council Member Hill made comments about the City funding one position for the Habitual Felons Program.

City Manager Ewell informed Council that District Attorney Jim Hardin made a request to the County to fund a second position.

MOTION by Council Member Larson seconded by Council Member Blyth to receive a report from the Police Department concerning the recommended 2000 Local Law Enforcement Block Grant Spending Plan; and

To receive citizens' comments concerning the recommended 2000 Local Law Enforcement Block Grant Spending Plan; and

To approve the proposed spending plan and to adopt the "City of Durham, North Carolina and the U. S. Department of Justice, Bureau of Justice Assistance 'Local Law Enforcement Block Grant" FY 2000/2001 Grant Project Ordinance; and to refer Denise Hester's proposal to the administration was approved at 7:27 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Noes: Council Member Wagstaff. Absent: None.

Ordinance #12131

SUBJECT: STREET CLOSING - SC00-4, OLD CORNWALLIS ROAD

To adopt the "City of Durham Order Permanently Closing 1,520± Linear Feet (2.14± Acres) of Old Cornwallis Road"

Dick Hails, of City/County Planning Department, gave an overview of the staff report noting that staff recommends approval.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Bob Peter, representing the owner/developer, spoke in support of this item, outlined neighborhood concerns and withdrew the northwest section of the request that affects neighbors so they can continue to have access on the west end of the road.

Phillip Evans, representing property owners, spoke in opposition to the request noting egress concerns. He stated that Mr. Peter withdrew the section affecting property owners; therefore, they do not have any other objections.

Mayor Tennyson declared the public hearing closed.

Council Member McKissick discussed Mr. Bryant's property, which is

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adjacent to the street closing.

MOTION by Council Member Blyth seconded by Council Member Larson to adopt the "City of Durham Order Permanently Closing 926.6± Linear Feet (1.34± Acres) of Old Cornwallis Road" was approved at 7:38 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12132

SUBJECT: ZONING CASE: P00-72 - CITY OF DURHAM - 8.76 ACRES AT 7906 NC 751 (WEST SIDE OF NC 751, SOUTH OF I-40)

Case: P00-72 - Initial Zoning of Newly Annexed Territory

Initiated By: City of Durham

Location: 8.76 acres at 7906 NC 751 (west side of NC 751, south of I-40)

Request: Initial zoning of property newly annexed into the City. No change in zoning classification is proposed. Existing zoning is RD.

Zoning Committee's Recommendation: Approval (7-0)

Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance amending the Zoning Ordinance the same being Chapter 24 of the Durham City Code, by establishing RD zoning for the above described property newly annexed into the City was approved at 7:39 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: ZONING CASE: P00-75 - CITY OF DURHAM - SOUTHEAST OF FARRINGTON ROAD, EAST OF I-40

Case: P00-75 - Initial Zoning of Newly Annexed Territory

Initiated By: City of Durham

Location: Southeast of Farrington Road, east of I-40

Request: Initial zoning of property newly annexed into the City. No change in zoning classification is proposed. Existing zoning is R-20.

Zoning Committee's Recommendation: Approval (7-0)

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Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance the same being Chapter 24 of the Durham City Code, by establishing R-20 (F/J-B) zoning for the above described property newly annexed into the City was approved at 7:39 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

[OTHER MATTERS]

SUBJECT: REPORT ON THEFT OF GAS BY "DRIVE-OFF"

Council Member Cheek commented on an article in the newspaper concerning this item.

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report concerning theft of gas by "drive-off"; and

To delete the existing "placeholder" for Item 10 in the 2001 Legislative Program Outline (10. Authorize the City to require retail sellers of gasoline to collect, from customers, the charges for the sale of gasoline prior to the gasoline being pumped); and

To include in the 2001 Legislative Program a resolution in support of legislation to increase the criminal penalties for theft of gasoline by "drive-off" was approved at 7:42 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: FEDERAL ASSET FORFEITURE FUND GRANT PROJECT ORDINANCE
FISCAL YEAR 2000/2001 - U. S. DEPARTMENT OF JUSTICE**

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt the "Grant Project Ordinance, City of Durham and U. S. Department of Justice 'Federal Asset Forfeiture Funds' Project Ordinance FY 2000/2001" was approved at 7:43 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

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Ordinance #12133

SUBJECT: REPORT ON DURHAM COUNTY OCTENNIAL PROPERTY REVALUATION

To receive a report from the Finance Department and Durham County on the octennial property revaluation.

This item was continued until the December 18, 2000 City Council Meeting--discussion at the December 14, 2000 Committee-of-the-Whole Meeting.

SUBJECT: PROPOSED 2001 CERTIFICATES OF PARTICIPATION REIMBURSEMENT DECLARATION

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution Declaring the Intent of the City of Durham to Reimburse Itself for Capital Expenditures Incurred in Connection with the Construction, Equipping and Furnishing of a General Maintenance Facility and Fire Stations; the Renovation and Expansion of City Hall Office Space; the Acquisition of Firefighting Equipment and General Governmental Equipment; and the Acquisition of Property from the Proceeds of Certain Tax-Exempt Obligations to be Executed and Delivered During Calendar Year 2001" was approved at 7:43 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Resolution #8716

SUBJECT: FISCAL YEAR 2000-01 FIRST QUARTER PERFORMANCE REPORT

To receive the Fiscal Year 2000-01 First Quarter Performance Report.

This item was continued until the December 18, 2000 City Council Meeting--discussion at the December 14, 2000 Committee-of-the-Whole Meeting.

SUBJECT: CITIZENS' PARTICIPATION IN BUDGET-RELATED ACTIVITIES

MOTION by Council Member Larson seconded by Council Member Jacobs to set a public hearing on Tuesday, January 16, 2001 to receive citizens' comments concerning the Fiscal Year 2001-02 Budget; and

To establish dates and times to meet with interested citizens through "Coffee with Council" was approved at 7:43 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill,

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Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: AMENDMENT OF PROCTOR STREET APARTMENTS PROJECT - HOME FUNDED - THE DURHAM COMMUNITY LAND TRUSTEES, INC.- PROCTOR STREET APARTMENTS - \$17,436

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute amendments to the CHDO Loan Agreement and related documents executed on April 10, 1998 or thereafter between the City of Durham and the Durham Community Land Trustees, Inc. for the Proctor Street Apartments project and to allocate an additional amount not to exceed \$17,436 from HOME funds as a forgivable loan; and

To authorize the City Manager to modify the amendments before execution provided the modifications do not increase the dollar amount of the amendments, and are consistent with the general intent of the version of the amendments approved by City Council was approved at 7:43 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: PROPOSED SALE OF CITY-OWNED PROPERTY LOCATED AT 3605 WISHART STREET - JULIUS H. EARP, SR. - C. B. ANDERSON REALTY

MOTION by Council Member Larson seconded by Council Member Jacobs to accept Julius H. Earp, Sr.'s offer in the amount of \$55,000 to purchase the property located at 3605 Wishart Street; and

To authorize the Mayor to convey the property by a non-warranty deed; and

To authorize payment of a 3% commission to the Real Estate Broker, C. B. Anderson Realty, representing the prospective buyer at closing was approved at 7:44 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: DURHAM AFTERSCHOOL STRATEGY (TITLE V GRANT AWARD) FISCAL YEAR 2001 - NORTH CAROLINA DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY GOVERNOR'S CRIME COMMISSION

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt the "City of Durham Grant Project Ordinance 2000-2001 North Carolina Department of Crime Control and Public Safety Governor's Crime Commission 1999 Title V Grant for a Durham Afterschool Program" was approved at 7:44 p.m. by the following

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vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12134

SUBJECT: CITIZENS ADVISORY COMMITTEE - MAYOR'S NOMINEE FOR RE-APPOINTMENT

MOTION by Council Member Larson seconded by Council Member Jacobs to approve the Mayor's nomination of **Gloria Beamon-Thomas** for re-appointment to the Citizens Advisory Committee for a term to expire June 30, 2002 was approved at 7:44 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: DURHAM OPEN SPACE AND TRAILS COMMISSION - MAYOR'S NOMINEE FOR RE-APPOINTMENT

MOTION by Council Member Larson seconded by Council Member Jacobs to approve the Mayor's nomination of **Harris E. Williams** for re-appointment to the Durham Open Space and Trails Commission for a term to expire December 31, 2002 was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: VOLUNTARY PROPERTY PURCHASE POLICY

Kendall Abernathy, Property & Facilities Management Director, briefed Council on the November 30, 2000 letter and report sent to the single-family residents on Fayetteville Road and comments received from them concerning this matter.

Levell Exum, Realtor, spoke in support of property owners receiving fair compensation.

Council Member McKissick asked staff to consider the compensation, procedure, and financial impact the widening of Fayetteville Road will have on the residents' homes in close proximity.

MOTION by Council Member McKissick seconded by Council Member Larson to receive a report from the Administration concerning the Voluntary Property Purchase Policy was approved at 7:52 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff.

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Noes: None. Absent: None.

**SUBJECT: INCREASE IN THE CONTRACT AMOUNTS TO BE PAID TO THE
FREELON GROUP ARCHITECTS - FIRE STATION #14 - SOLID
WASTE INCINERATOR FACILITY**

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to increase the amount to be paid to The Freelon Group Architects by \$7,481.24 for Fire Station #14 and to increase the amount to be paid to The Freelon Group Architects by \$98,937.29 for the Solid Waste Incinerator Facility was approved at 7:52 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: CONTRACT FOR HOUSEHOLD AND CITY GOVERNMENT HAZARDOUS
WASTE SERVICES - ECOFLO, INC.**

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a contract with ECOFLO, Inc. for household and City government generated hazardous waste disposal services for three years beginning January 1, 2001; and

To authorize the City Manager to modify the contract before execution, provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent and version of the contract approved by City Council was approved at 7:52 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: VOLUNTARY ANNEXATION PETITIONS SUBMITTED PRIOR TO
OCTOBER 1, 2000**

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report from the Administration on voluntary annexation petitions received prior to October 1, 2000; and

To accept the City Clerk's certification of 100% ownership for each of the petitions as required by N.C. General Statutes 160A-58 and 160A-31; and

To adopt the resolutions setting public hearings on Monday, December 18, 2000 on the following submitted voluntary petition annexations: **Alston Village, Ganyard Farms, Triad Marine, Keystone Park, Guess Road Subdivision, Geer Street Subdivision, Oak Grove Animal Hospital, Parkgate Office, and Page Pointe Center** was approved at 7:53 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth,

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Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Resolution #8722-8730

SUBJECT: LICENSE AGREEMENT WITH SOUTHPOINT OWNER'S ASSOCIATION, INC. - RENAISSANCE PARKWAY

To authorize the City Manager to enter into a License Agreement with Southpoint Owner's Association, Inc. to allow the installation of irrigation lines, private landscaping, private street signs and street pavers within its portion of right of way for Renaissance Parkway.

This item was referred to the administration.

SUBJECT: LICENSE AGREEMENT WITH SOUTHPOINT MALL, LLC - RENAISSANCE PARKWAY

To authorize the City Manager to enter into a License Agreement with Southpoint Mall, LLC to allow the installation of irrigation lines, private landscaping, private street signs and street pavers within its portion of right of way for Renaissance Parkway.

This item was referred to the administration.

SUBJECT: EDITH AND NINTH STREETS OUTFALL REPLACEMENT - DESIGN SERVICES CONTRACT - KIMLEY-HORN AND ASSOCIATES, INCORPORATED

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a contract in an amount not to exceed \$400,000 with Kimley-Horn and Associates, Incorporated for design services for Edith and Ninth Streets outfall replacement project; and

To authorize the expenditure of up to \$400,000 from the Sewer Rehabilitation Account was approved at 7:53 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: EAST DURHAM OUTFALL REPLACEMENT - DESIGN SERVICES CONTRACT - CAMP, DRESSER AND MCKEE, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a contract in an amount not to exceed \$400,000 with Camp, Dresser and McKee, Inc. for design services for the East Durham outfall replacement project;

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and

To authorize the expenditure of up to \$400,000 from the Sewer Rehabilitation Account was approved at 7:53 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: WATER EXTENSION AGREEMENT WITH KEYSTONE CORPORATION - KEYSTONE PARK EAST

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water Extension Agreement with Keystone Corporation for the extension of City water to serve Keystone Park East, a 71.7± acre commercial site located on the south side of Hopson Road about 1,800 feet east of Davis Drive was approved at 7:53 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH STEPHANIE J. DALRYMPLE - OAK GROVE ANIMAL HOSPITAL

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Stephanie J. Dalrymple for the extension of City water and sewer to serve Oak Grove Animal Hospital located on the west side of Robbins Road south of Wake Forest Highway (NC 98) was approved at 7:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH ROBERT C. RHEIN INTERESTS, INC. - GUESS ROAD SUBDIVISION

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Robert C. Rhein Interests, Inc. for the extension of City water and sewer to serve Guess Road Subdivision, a 100± acre, 240 lot single family subdivision located on the east side of Guess Road opposite Bramble Road was approved at 7:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

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SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH THE NRC GROUP, LLC - ALSTON VILLAGE

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with The NRC Group, LLC for the extension of City water and sewer to serve Alston Village, a 45.84 acre, multifamily site located at the northwest corner of Alexander Drive and Alston Avenue was approved at 7:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH EAST GEER VENTURE, LLC - GEER STREET SUBDIVISION

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with East Geer Venture, LLC for the extension of City water and sewer to serve Geer Street Subdivision, a 128 acre, 350 lot, single family subdivision located on the east and west side of Geer Street about 250' north of Milan Street was approved at 7:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: WATER EXTENSION AGREEMENT WITH FRANK B. ASCOTT - HOPSON ROAD

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water Extension Agreement with Frank B. Ascott for the extension of City water to serve a 1.72 acre commercial site located on the west side of NC 54 near the intersection of Hopson Road was approved at 7:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: SITE PLAN APPROVAL - HOPE VALLEY COMMONS

MOTION by Council Member Larson seconded by Council Member Jacobs to approve a site plan for "Hope Valley Commons," submitted by Haden Stanziale, PA, on behalf of YHG, LLC, consisting of a 119,539 square foot, one-story shopping center and 566 parking spaces on a ±17.239 acre site zoned Shopping Center (D) and Fall/Jordan-B watershed overlay and located on the southeastern corner of the intersection of NC 54 and NC 751 (Tax Maps #427-1-

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10, 12-14, 17-20; #427-2-2-4,4A and PIN #0718-01-18-5823, 5947; #0718-01-19-5141, 5286, 7097, 7300, 7392, 9395; #0718-01-28-1693; and #0718-01-29-0089, 2191, 2430) was approved at 7:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: SITE PLAN APPROVAL - ORCHARD LAKE

MOTION by Council Member Larson seconded by Council Member Jacobs to approve a site plan for "Orchard Lake," submitted by Spaulding & Norris, PA, consisting of 99 single family lots proposed on 19.87 acres, zoned PDR-10, located north of Martin Luther King, Jr. Parkway and east of Cook Road (Tax Map #513-01-6, 8, 9, 10A, 10B; PIN #0729-1-38-7790, #0729-01-39-9275, #0729-01-48-5703) was approved at 7:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

[SUPPLEMENTAL AGENDA]

SUBJECT: RESOLUTION HONORING WILLIAM V. BELL

MOTION by Council Member Larson seconded by Council Member Jacobs to direct the City Clerk to draft a resolution honoring William V. Bell was approved at 7:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

SUBJECT: AMENDMENT TO EXISTING LETTER OF AGREEMENT WITH ARNOLD AND PORTER - CAROLINA BROAD BAND

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute an amendment to the existing Letter of Agreement with Arnold and Porter to include consulting services for a cable franchise with Carolina Broad Band was approved at 7:56 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

[ITEM PULLED FROM THE CONSENT AGENDA]

SUBJECT: PARKING PROHIBITION - STONEYBROOK DRIVE

MOTION by Council Member Larson seconded by Council Member Jacobs

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to adopt an ordinance to prohibit parking on the west side of Stoneybrook Drive, in the area beginning at the south curb line of Croasdaile Farm Parkway, if extended, and extending for a distance of 235 feet southwardly was approved at 7:56 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Ordinance #12129

There being no further business to come before the City Council, the meeting was adjourned at 7:56 p.m.

D. Ann Gray, CMC
City Clerk

Linda E. Bratcher
Deputy City Clerk